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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,259	04/24/2004	Joan Carreras	04278	3258

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EXAMINER

HOFFBERG, ROBERT JOSEPH

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/709,259

Applicant(s)

CARRERAS, JOAN

Examiner

Robert J. Hoffberg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detailed Action

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Regarding claim 1, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson (US 5,906,514) in view of Fouts et al. (US 5,179,503).

With respect to Claim 1, Nelson teaches a fuse holder system suitable for mounting in an automobile main electrical junction box (Fig. 2, #10) and further suitable for mounting fuses involved in periodic controls or diagnoses of vehicle safety systems, including ABS, airbags, brake control and the like comprising: a fuse holder module body (1) (fig. 2, #24) capable of housing a plurality of fuses (3) and (5) (Fig. 3, #14) having different configurations; said fuses (3) and (5) capable of being connected and disconnected (Col, 3, line 24, removeable, examiner is interpreting that the fuses as part

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of fuse holder module body are capable of being connected and disconnected from the junction box) at will; said fuse holder module body (1) having two housings (2) and (4) (Col. 4, lines 11-12 and Fig. 3, #12 (not shown) for #14 on left and right sides) for said fuses (3) and (5), and a cover (7) (Fig. 2, #37) for closure of said housings (2) and (4); and further having a fixing element (10) (Fig. 2, #36) fixing said fuse holder module body (1) to said automobile main electric junction box. Nelson fails to teach fuses having different configurations. Fouts et al. teaches fuses having different configurations (Fig. 3, FUSE and MAXI-FUSE) in a module body (Fig. 1, #12). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of Nelson with that of Fouts et al. for the purpose of combining different configurations of fuses to maximize protection of the electrical components.

With respect to Claim 2, Nelson in view of Fouts et al. teach a fuse holder system of claim 1 above. Nelson further teaches that the number of fuses are variable in number (Col. 3, line 47). While Nelson fails to teach that said housings (2) and (4) being variable in number and configuration, according to the number and configurations of fuses (3) and (5), it would be obvious to one skilled in the art that each fuse would need a housing (#12) to electrically and mechanically connect to the system. It has been held that changes in configuration (sizes) or number (duplication of parts) are obvious to one skilled in the art at the time of invention. *In re Rose*, 220 F.2d 459, 105 USPQ 237 (CCPA 1955) and *In re Harza*, 274 F.2d 669, 124 USPQ 378 (CCPA 1960). It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to modify the system of Nelson in view of Fouts et al. for the purpose of combining different configurations of fuses to maximize protection of the electrical components.

With respect to Claim 3, Nelson further teaches that said cover (7) (Fig. 3, #37) for covering said housings (2) and (4) of said fuse holder module body (1) forms a single piece (see Fig. 3) therewith, and is joined therewith through a pivoting line (Col. 3, line 67, hinged) determining a joint or a swinging hinge (8) (fig. 3, not marked), said cover (7) being provided with fixing means (9) (Fig. 4, #26) for fixing it to said fuse holder module (1) in a closed position (see Fig. 4).

With respect to Claim 4, Nelson further teaches that said cover (7) (Fig. 3, #37) for covering said housings (2) and (4) of said fuse holder module body (1) being joined together by a pivoting line (Col. 3, line 67, hinged) determining a joint or a swinging hinge (8) (fig. 3, not marked), said cover (7) further being provided with fixing means (9) (Fig. 4, #26) for fixing said cover to said fuse holder module body (1) in a closed position (see Fig. 4).

Response to Arguments

3. Applicant's arguments filed 4/29/06, with respect to the rejection(s) of claim(s) 1-4 have been fully considered and are persuasive based upon applicant's amended claims. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made above.

4. Applicant argues that Nelson does not teach a fuse block suitable for easy and convenient removal of fuses. The examiner respectfully disagrees. Clearly the fuse

block is suitable for removal as shown in Figures 1 and 2. Furthermore, the claim requires fuses involved in systems including...brake controls and the like. This language is broad and the fuses of Nelson meet this limitation. Security of the fuse block does not prevent the system from being easy and convenient for removal as these are relative terms. Statements in the preamble reciting the purpose or intended use of the claimed invention must be evaluated to determine whether the recited purpose or intended use results in a structural difference between the claimed invention and the prior art. MPEP 2111.02 (II).

5. With respect to applicant's comments regarding the different fuse types, it is noted that a secondary reference of Fouts has been added to meet this limitation.

6. Amendments to the drawing and the specification are acceptable and objection to the drawings is withdrawn.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any


extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Hoffberg whose telephone number is (571) 272-2761. The examiner can normally be reached on 8:30 AM - 4:30 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on (571) 272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RJH



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